

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RAUL ARCHULETA, ISAAC MARTINEZ,)
TRINA SUAZO-MARTINEZ, DANIEL)
FRANK, MICHELLE CORIZ, ADRIANNA)
MARTINEZ, VALLERIE LAMBERT,)
and SAM SPROW,)
Plaintiffs,) Case No. 1:21-cv-01030
v.)
TRIAD NATIONAL SECURITY, LLC, d/b/a)
LOS ALAMOS NATIONAL LABORATORY,)
and THOMAS MASON, Director of Los Alamos)
National Laboratory, in his official capacity,)
Defendants.)

**PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs Raul Archuleta, Isaac Martinez, Trina Suazo-Martinez, Daniel Frank, Michelle Coriz, Adrianna Martinez, Vallerie Lambert, and Sam Sprow respectfully move this Court to enter a temporary restraining order and preliminary injunction enjoining Defendants from terminating or placing on indefinite leave without pay any employee, including Plaintiffs, who has received a religious exemption from Defendants.

Plaintiffs' counsel notified Defendants' General Counsel of their intent to seek immediate injunctive relief, including by email correspondence exchanged on October 22, 2021. Plaintiffs' counsel asked if General Counsel would accept service of process but received no specific answer

to this question. Plaintiffs' counsel also inquired as to what attorneys they should inform the Court will be representing Defendants in this matter and likewise did not receive a specific response. Upon the filing of this motion, Plaintiffs' counsel will promptly email it, the supporting memorandum, and their verified complaint to Defendants' General Counsel.

Plaintiffs respectfully request that a temporary restraining order be issued without notice and awaiting a response from Defendants pursuant to Fed. R. Civ. P. 65(b)(1) because as set forth in the Verified Complaint filed herein [Doc. 1] and the Plaintiff's Declarations attached a Exhibits 1 to 8 to Plaintiffs' Memorandum in Support of Motion for Temporary Restraining Order and Preliminary Injunction, Plaintiffs will suffer immediate and irreparable injury, loss, or damage before the Defendants can be heard in opposition. Such injuries include continued infringement of Plaintiffs' constitutional rights under the First and Fourteenth Amendments, being placed on Leave without Pay, loss of benefits including health insurance which is currently covering various ongoing health treatments, termination, loss of security clearances, as well as continuing fear, anxiety, and emotional turmoil for Plaintiffs and their families. The situation will only get worse as each of the Plaintiffs exhausts their respective, existing vacation time – a deadline that varies for each Plaintiff but that is in each case imminent. A Temporary Restraining Order will preserve the status quo pending a hearing on Plaintiffs' request for a preliminary injunction.

WHEREFORE, Plaintiffs' respectfully request a temporary restraining order as described above and, upon completion of a hearing, entry of a preliminary injunction. Alternatively, if the requested preliminary injunctive relief is not granted, Plaintiffs respectfully request an injunction pending appeal or, failing that, an order denying same. The grounds for Plaintiffs' motion are set forth in their contemporaneously filed memorandum of law, and those

reasons are incorporated herein by reference.

DATED: October 23, 2021.

Respectfully submitted,

LAW OFFICE OF ANGELO J. ARTUSO

BY: /s/Angelo J. Artuso
Angelo J. Artuso
P.O. Box 51763
Albuquerque, New Mexico 87181-1763
Telephone: (505) 306-5063
angelo@nmliberty.com

THOMAS MORE SOCIETY

BY: /s/B. Tyler Brooks
B. Tyler Brooks[†]
N.M. Federal Bar No. 21-296
309 W. Washington St., Suite 1250
Chicago, Illinois 60606
Telephone: (312) 782-1680
Cell: (336) 707-8855
btb@btylerbrookslawyer.com

[†] *Admitted in NC, SC, TN & MI.*